IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

ARBITRATION PETITION NO.262 OF 2006

Nandbala Nathalal Mayani. ...Petitioner.

vs.

1.Mr.Jaswantrai Chhaganlal Mayani and others. ...Respondents.

Mr.Bipin Joshi,for Petitioner.

Mr.P.M.Shah,for Respondents 1, 3 & 4.

CORAM: D.K.DESHMUKH,J.

DATED: 4th September,2006.

P.C.:-

By consent of parties, the petition is disposed of in the following terms:-

1. Hon'ble Mr.Justice H. Suresh (Retired) is appointed as Arbitrator.

2. The respondents are restrained from creating any third party rights in the premises which they have received from the Corporation Bank. They are also restrained from renewing the deeds of the premises which are in possession of the Bank of Maharashtra.

3. Both the parties shall be free to apply for appropriate interim relief before the learned Arbitrator. In case such an application is made, it shall be decided on its own merit without being influenced by the ad-interim order made by this Court.

4. The learned Arbitrator shall also be free to modify the ad-interim order passed by this Court, if he finds it necessary.

5. The learned Counsel appearing for respondents states that within two weeks from today, the respondents will supply copy of the partnership deed to the Advocate appearing for the petitioner. The statement is accepted.

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